Stage 1 Contamination Assessment

Proposed Expansion of Callala Bay Township at Corner of Emmett St and Callala Beach Road

5046190021

Prepared for The Sealark Pty Ltd

2/02/2022



Contact InformationDocument InformationConstruction Sciences Pty LtdPrepared forThe Sealark Pty LtdABN 74 128 806 735Project NameProposed Expansion of CallalUnit 2, 4 Kellogg Road,
Rooty Hill, NSW 2766Township at Corner of Emme
and Callala Beach Road

Telephone: +61 1300 165 769

www.constructionsciences.net

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Executive Summary

The Sealark Pty Ltd (the client) commissioned Construction Sciences (CS) to carry out a Stage 1 contamination assessment (CA) of vacant bushland located at the corner of Emmett St and Callala Beach Road (the site). The CA was conducted to assess potential contamination risks to accompany a future planning proposal for proposed expansion of Callala Bay township.

This report presents the findings of the desktop review and site walkover conducted as part of the CA.

The objectives of this CA were to:

- > Assess the potential for contamination to be present on the site, due to past and present site use;
- Assess the suitability of the site, from a contamination perspective, for the proposed residential development;
- > Recommend additional investigations or management measures that may be required to render the site suitable for the proposed land use; and
- > Assess the potential geotechnical constraints that may be present on the site, based on a desktop review.

The scope of work undertaken to achieve the objectives included:

- > Review of regional topography and geology;
- > Review of historical aerial photographs, title records and Section 149 Certificates;
- > Review of NSW EPA's contaminated register;
- > Walkover assessment of the subject site to assess the current site condition and surrounding land use; and
- Preparing this report presenting the findings in general accordance with State Environmental Planning Policy 55 for the Assessment and Management of Site Contamination (SEPP 55) and the NSW Office of Environment and Heritage (OEH, 2011) *Guidelines for Consultants Reporting on Contaminated Sites*.

The site is located at the corner of Emmett St and Callala Beach Road, which is approximately 1.5 km north of Jervis Bay. The site covers an area of approximately 36.8 ha and consists of multiple lots. The revised planning proposal provided by the client on 14 January 2021 proposes the creation of a mixture of small (400-500m²) residential lots and large (4000m²) residential lots, roadways, cycle ways and a drainage reserve

Based on the desk-study, the walkover assessment and the review of past contamination reports for the adjacent property, CS concludes the following:

- > The site is unlikely to contain widespread unacceptable contamination, as a result of past and current activities within the site; and
- > The site is considered to be suitable, from a contamination perspective, for the proposed residential development, subject to the waste classification and appropriate disposal of illegally dumped material.

This report should be read in conjunction with the information sheets attached in Appendix A.



1.0 Introduction

Sealark Pty Ltd (the client) commissioned Construction Sciences (CS) to carry out a Stage 1 contamination assessment (CA) and a preliminary geotechnical investigation at a vacant bushland located at the corner of Emmett St and Callala Beach Road (the site). The CA was conducted to accompany a future planning proposal for proposed expansion of Callala Bay township.

This report presents the findings of the desktop review and site walkover conducted as part of the CA. This report should be read in conjunction with the information sheets attached in Appendix A.



The objectives of this CA were to:

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- > Assess the potential for contamination to be present on the site, due to past and present site use;
- Assess the suitability of the site, from a contamination perspective, for the proposed residential development;
- > Recommend additional investigations or management measures that may be required to render the site suitable for the proposed land use; and
- > Assess the potential geotechnical constraints that may be present on the site, based on a desktop review.

The scope of work undertaken to achieve the objectives included:

- > Review of regional topography and geology;
- > Review of historical aerial photographs, title records and Section 149 Certificates;
- > Review of NSW EPA's contaminated register;
- > Walkover assessment of the subject site to assess the current site condition and surrounding land use; and
- Preparing this report presenting the findings in general accordance with State Environmental Planning Policy 55 for the Assessment and Management of Site Contamination (SEPP 55) and the NSW Office of Environment and Heritage (OEH, 2011) *Guidelines for Consultants Reporting on Contaminated Sites*.

A section of this report is dedicated to a discussion on geotechnical constraints that may be present on the site, based on a review of geological maps, landscape maps and acid sulphate soils maps.

3.0 Site Identification

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The site is located at the corner of Emmett St and Callala Beach Road which is approximately 1.5 km north of Jervis Bay and covers an area of approximately 36.8 ha. The site consists of the following lots:

- > Lot 20 DP1263402
- > Lots 9, 10, 11, 17, 18 DP 253793
- > Lots 599-628 DP 11388

A site location plan and a site layout plan are included in Appendix B.

4.0 Site History

4.1 Zoning

Section 149 Certificate for the site, obtained on 3 October 2018, states that the site is zoned as Zone No 1 (d) (Rural "D" (General Rural) Zone)

4.2 Title Records

A record of ownership as can be inferred from title records indicated that Lot 20 DP1263402 was predominantly owned by individuals except for the period between 1947 and 1970 as well as 2013 and present when it was owned by private companies.

The rest of the site was predominantly owned by various companies except for periods between 1916 and 1917 as well as between 1970 and 2013 when it was owned by individuals.

The historical title records are included in Appendix D.

4.3 Aerial Photographs

Aerial photographs for the property were purchased from NSW Department of Finance, Services & Innovation. The aerial images were provided as high-resolution image files. CS will be pleased to provide these upon request. A summary of findings is presented in Table 4-1 below.

Year	Site Description
1961	The entire site is covered by dense bushland.
	The surroundings of the site are also covered by dense bushland. A road which appears to be unsealed can be seen along the western boundary of the site (Callala Beach Road)
1969	No significant changes have occurred within the site.
	A slight clearing can be seen at approximately 1 km to the north east of site. No other significant changes have occurred on the site's surroundings.
1974	No significant changes have occurred within the site and the surrounding sites.
1984	No significant changes have occurred within the site.
	The road along the western boundary of the site (Callala Beach Road) appears to have been sealed. A slight clearing can be seen to the west and south west of site across Callala Beach Road to make way for a few small structures that appears to be used for commercial purposes.
1997	No significant changes have occurred within the site.
	Area to the east of site is now an urban residential area. Land clearing to the west has increased since 1984.
2014 to	No significant changes have occurred within the site.
present	Land clearing to the west has increased again since 1997.
Nearmap	

Table 4-1 Summary of Aerial Photograph Reviewed

4.4 POEO and Contaminated Land Register

A search of the online public register under the Protection of the Environment Operations Act 1997 (POEO) and the NSW EPA Contaminated Land Register showed that the site and its surrounding is not listed as contaminated.

4.5 Section 149 Certificate

CS obtained Planning Certificates under Section 149 of the Environmental Planning Act 1979 for the site in order to assess the planning constraints that may be applicable to the site.

The review of the planning certificate indicated that:

- > The site is not listed as significantly contaminated; and
- > There are no management orders, maintenance orders or audit statements.

4.6 SafeWork NSW Records

An application for a search for schedule 11 hazardous chemicals on premises was submitted to SafeWork NSW. The search indicated there were no records pertaining to the subject site. A copy of the search results is attached in Appendix G.

4.7 Land use

Based on the site history review, the site has been vacant and covered with bushland.

4.8 Adjacent Land

Based on the aerial photographs, the surrounding sites were entirely covered by dense vegetation until the 1980s where some clearings were conducted to the west and south west of the site for commercial purposes. More clearings were conducted around the early 1990s to make way for urban residential housings.



5.1 Topography

Nearmap elevation profile shows that the site generally slopes down to the south with elevations ranging from 45m AHD to 13m AHD.

5.2 Site Observations

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A site walkover was carried out by a CS Environmental Consultant on 18 October 2018. The walkover was limited to the areas of the site that were readily and safely accessible by foot. Observations made at the time of the inspection are summarised below:

- > The site is predominantly covered by bushland and grass and slopes towards Emmett St;
- > Drainage pits were observed along the southern boundary of the site and would likely drain surface water runoff from the site;
- > A few unsealed tracks were observed within the site (See Figure 5046190021-2 in Appendix B);
- > Parked caravans and boats were observed within the site adjacent to the eastern boundary where residential housings are located. No stains or oil spills were observed around this area;
- Rusted and abandoned vehicle parts were observed on the site's north western portion (Site Feature A) (see Figure 5-1);
- Stockpile of clay bricks and road base material were observed near the south-eastern corner of the site (Site Feature B) (see Figure 5-2);
- > No significant stains, discolouration, odours and asbestos were observed within the site; and
- > No sign of fill was observed within the site.



Figure 5-1: Rusted and abandoned vehicle parts on the site's north western portion





Figure 5-2: Stockpile of uncrushed clay bricks and road-base material near the south-eastern corner

5.3 Surrounding Land Use

The site was observed to be surrounded by dense bushland to the north and beyond Callala Beach Road to the west and beyond Emmett Street to the south. Rural residential dwellings were observed scattered to the south and south-west of the site. Urban residential housings were observed adjacent to the eastern boundary of the site.

5.4 Sensitive Environments

Callala Creek is located approximately 800 m south from site and flows toward Jervis Bay which is approximately 1.5 km south from site. Surface water is likely to flow overland into this creek or via stormwater drainage system installed along Emmett St. Wowly Gully is located approximately 1 km north east of site and is a tributary to Coonemia Creek which is located approximately 2 km north from site. Beyond Coonemia Creek lies Jervis Bay National Park.

6.0 Geology an Hydrology

6.1 Geology

Reference to Wollongong 1:250000 geological sheet indicates that the majority of the area is underlain by Wandrawandian Siltstone 'Psw' which comprises of siltstone, silty sandstone, pebbly in part. The south eastern and north eastern boundary of the site lies on 'Qal' which consists of alluvium, gravel, swamp deposits and sand dunes.

6.2 Groundwater

A search of the NSW Office of Water groundwater bore database indicates that there are no boreholes located within 500m of the site.



7.0 Preliminary Conceptual Site Model

7.1 Proposed Development

The revised planning proposal provided by the client on 14 January 2021 proposes the creation of a mixture of small (400-500m²) residential lots and large (4000m²) residential lots, roadways, cycle ways and a drainage reserve. The revised planning proposal is attached in Appendix E.

7.2 Exposure Risk Analysis

The preliminary conceptual site model for contamination, based on the site walkover and the site history review is present below in Table 7-1.

Table 7-1 Preliminary Conceptual Site Model

CONTAMINATION SOURCES

Illegal dumping was observed in two different locations. Stockpiles consisting of clay bricks and road base material were observed near the south eastern corner of the site. Rusted and abandoned vehicle parts were observed on the north western portion of the site. Additional isolated locations where illegal dumping has occurred, though not observed during our walkover (perhaps due to vegetation cover) cannot be precluded.

Illegally dumped waste could typical contain heavy metals, hydrocarbons and asbestos.

Stressor	Receptor	Pathways	Risk Description/Probability of Exposure
lllegally dumped stockpiled material	Construction workers and future site occupants	Dermal contact, ingestion or inhalation	Unlikely Stockpiled waste material will be waste classified and be removed to an appropriate landfill as part of site clearing activities. As such, construction workers and future residents will not be exposed to any potential contamination that may be present within the small illegally dumped stockpiles.
Rusted abandoned vehicle parts	Construction workers and future site occupants	Dermal contact, ingestion or inhalation Physical harm such as cuts and abrasions	Unlikely Dumped waste material will be removed to an appropriate landfill as part of site clearing activities. As such, construction workers and future residents will not be exposed to these waste materials.

8.0 Discussion – Contamination

onstruction

Sciences

Based on the above data, CS considers that the potential for significant, widespread contamination to be present across the site is low. However, the following should be considered:

- > Two areas were identified where minor quantities of illegally dumped waste material (bricks, road base, and vehicle parts) was present;
- It is not possible to preclude further isolated areas of illegal dumping, as the dense vegetation could have covered such waste material that may be present. Further, it was not possible to observe all areas of the site for illegal dumping due to the presence of dense vegetation. Furthermore, the site is unfenced and has several dirt access tracks running through it which would increase the potential risk of illegally dumped materials; and
- > The illegally dumped waste materials observed, and that which may be encountered during future site clearing works, would need to be waste classified and disposed of at landfill.

The site history review and the site walkover did not identify the potential for significant widespread contamination to be present on the site. The isolated patches of illegally dumped waste (both identified and that may be encountered during the development), whilst may contain low level contamination including heavy metals, hydrocarbon and asbestos, will be removed offsite during site clearing works. As such, areas where illegally dumped waste material is present are unlikely to pose an unacceptable risk to human health or the environment in the context of the proposed residential land use.

CS considers that the site is suitable, from a contamination perspective, for the proposed residential land use.

No future assessments are considered necessary. However, the environmental consultant should be notified of any additional areas of waste materials that may be identified during site clearing works. The environmental consultant should also observe and confirm that the presently identified waste material has been removed from the site and lawfully disposed to a licensed facility.

9.0 Discussion - Geotechnical Constraints

9.1 Regional Geology

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Sciences

Reference to the 1:250 000 Wollongong Geological Map (Geological Series Sheet S1 56.9, 1966) indicates that the site lies on Quaternary Group (Qal) comprising Alluvium, gravel, swamp deposit and sand dunes as well as Shoalhaven Group with Megalong Conglomerate Wandrawandian Siltstone Sub-Group (Psw) comprising siltstone, silty sandstone, pebbly in part.

9.2 Landscape

Reference to 1:100 000 Kiama Soil landscape Series Sheet 9028, site is underlain by Depositional Landscapes of Greenwell Point (gp) with gently undulating rises on siltstone with small coastal cliffs, slopes > 3%, mostly cleared with stands with low open-forest, undisturbed areas of tall open-forest. Soil comprised of structural loams or moderately deep yellow podzolic soils on coastal cliffs with red solodic soils occur on simple slopes and in drainage lines. Limitations of the deposit included shallow soil (localised), rock outcrop (localised), sodicity, hardsetting, high organic matter, moderate shrink-swell potential (subsoil).

9.3 Acid Sulphate Soil

The elevation of the interpolated from Google Earth Map varies from 10m AHD towards south-east corner to 50m AHD towards north-east corner of the site. Acid Sulphate Soil Risk Map (NSW Government, Office of Environment & Heritage) indicates that there is no known occurrence of Acid Sulphate Soil on the Site, and as such land management activities are unlikely to be affected by Acid Sulphate Soils. However, the excavation activities more than 2m depth is may encounter potential acid sulphate soil especially in the south – east corner of the site as shown in Appendix G.

However, it is recommended that further geotechnical investigation is required to confirm the potential acid sulphate soil in the site before the start of the construction activities.

9.4 Interim AS2870 Classification

Based on the desktop study including regional geology and landscape maps, the site is underlain by the sandstone, siltstone with gravel and pebble. As such in accordance with AS2870 – 2011, it is assessed that the surface movement to be in the range of 40mm to 60mm for the undeveloped site and the interim site classification based on desktop study for the site could be of Class M to H1.

However, it is recommended that further geotechnical investigation is required to confirm the AS2870 Classification for the site before the start of the construction activities.

9.5 Earthworks

Earthworks would be required for creation of level building pads for the proposed development. The following procedure is recommended:

- > Strip topsoil and other deleterious materials from the building foot prints and road subgrades.
- Exposed surface should be proof rolled with a static smooth wheeled roller not smaller than 10t. Any deflecting areas should be excavated and backfilled as indicated below.

- > Place fill in not more than 250mm thick layers and compact to achieve a density ratio not less than 95% Standard Compaction.
- > All filling should be in near horizontal layers not steeper than 8% (12H:1V).
- > Density testing should be carried out under Level 1 testing as defined in AS3798-2007
- > Guidelines for Earthworks. The Geotechnical Testing Authority (GTA) undertaking testing should provide certification that testing has been carried out in accordance with the above requirements and AS3798.

9.6 Landslide

onstruction

Sciences

Site elevation is approximately 10m to 50m AHD, gently sloping toward the south – east and north – west of the site. The site comprised medium to large sized trees within medium dense bushlands.

Indicators of instability within the soil or rock beneath the site can include, but not be limited to:

- > Creep observed by tilting of structures including trees, fences or by soil/rock encroaching on roads or over drains, gutters etc.
- > Hummocky disturbed ground in or at the base of slopes.
- > Tension cracks in or at the top of slopes.

We note that no evidence of overall slope instability or adverse seepage flows was observed at the time of our visit on the site itself.

Based on the above, the risk of slope instability of the site prior to the proposed development is assessed to be '**low**'.

10.0 Conclusion

10.1 Contamination

Based on the desk-study, the walkover assessment and the review of past contamination reports for the adjacent property, CS concludes the following:

- > The site is unlikely to contain widespread unacceptable contamination, as a result of past and current activities within the site; and
- > The site is considered to be suitable, from a contamination perspective, for the proposed residential development, subject to the waste classification and appropriate disposal of illegally dumped material.

The environmental consultant should be notified of any additional areas of waste materials that may be identified during site clearing works. The environmental consultant should also observe and confirm that the presently identified waste material has been removed from the site and lawfully disposed to a licensed facility.

10.2 Geotechnical

Based on the desktop review, CS concludes the following:

- Land management activities at the site are unlikely to be affected by Acid Sulphate Soils. Except for excavation activities more than 2m depth is may encounter potential acid sulphate soil especially in the south – east corner of the site. Further geotechnical investigation is required to confirm the potential acid sulphate soil in the site;
- > The interim site classification based on desktop study for the site could be of Class M to H1. Further geotechnical investigation is required to confirm the AS2870 Classification for the site; and
- > The risk of slope instability of the site prior to the proposed development is assessed to be 'low'.

This report should be read in conjunction with the Important Information attached in Appendix A.



11.0 References

- 1. National Environment Protection Measures (NEPM) (2013)
- 2. Wollongong 1:250 000 Geological Map, Third Edition (Department of Mines, Sydney, NSW) (1966)

Proposed Expansion of Callala Bay Township at Corner of Emmett St and Callala Beach Road

APPENDIX

INFORMATION SHEETS



LIMITATIONS

Scope of Services: The report has been prepared in accordance with the scope of services set out in CS's Proposal under CS's Terms of Engagement, or as otherwise agreed with the Client. The scope of services may have been limited and/or amended by a range of factors including time, budget, access and site constraints.

Specific Purpose: The report is provided for the specific development and purpose as described in the report. The report may not contain sufficient information for developments or purposes other than that described in the report.

Currency of Information: The information in this report is considered accurate at the date of issue with regard to the current conditions of the site.

Reliance on Information: In preparing the report CS has necessarily relied upon information provided by the Client and/or their Agents. Such data may include surveys, analyses, designs, maps and plans. CS has not verified the accuracy or completeness of the data except as stated in this report.

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Construction Specifications: Unless otherwise stated, the report, or sections of the report, should not be used as part of a specification for a project, without review and agreement by CS.

Report Should Not be Separated: The report must be read in conjunction with the attached Information Sheets and any other explanatory notes and should be kept in its entirety without separation of individual pages or sections.

Review by Others: CS cannot be held responsible for interpretations or conclusions from review by others of this report or test data, which are not otherwise supported by an expressed statement, interpretation, outcome or conclusion stated in this report.

GENERAL NOTES

Geotechnical and Environmental Reporting: Geotechnical and environmental reporting relies on the interpretation of factual information based on judgment and opinion and is far less exact than other engineering or design disciplines. Geotechnical and environmental reports are for a specific purpose, development and site as described in the report and may not contain sufficient information for other purposes, developments or sites (including adjacent sites) other than that described in the report.

Subsurface Conditions: Subsurface conditions can change with time and can vary between test locations. For example, the actual interface between the materials may be far more gradual or abrupt than indicated and contaminant presence may be affected by spatial and temporal patterns. Therefore, actual conditions in areas not sampled may differ from those predicted since no subsurface investigation, no matter how comprehensive, can reveal all subsurface details and anomalies. Construction operations at or adjacent to the site and natural events such as floods, earthquakes or groundwater fluctuations can also affect subsurface conditions and thus the continuing adequacy of a geotechnical report. CS should be kept informed of any such events and should be retained to identify variances, conduct additional tests if required, and recommend solutions to problems encountered on site.

Groundwater: Groundwater levels indicated on borehole and test pit logs are recorded at specific times. Depending on ground permeability, measured levels may or may not reflect actual levels if measured over a longer time period. Also, groundwater levels and seepage inflows may fluctuate with seasonal and environmental variations and construction activities.

Interpretation of Data: Data obtained from nominated discrete locations, subsequent laboratory testing and empirical or external sources are interpreted by trained professionals in order to provide an opinion about overall site conditions, their likely impact with respect to the report purpose and recommended actions in accordance with any relevant industry standards, guidelines or procedures.

Soil and Rock Descriptions: Soil and rock descriptions are based on AS 1726 – 1993, using visual and tactile assessment except at discrete locations where field and / or laboratory tests have been carried out. Refer to the accompanying soil and rock terms sheet for further information.

Further Advice: CS would be pleased to further discuss how any of the above issues could affect a specific project. We would also be pleased to provide further advice or assistance including:

- Assessment of suitability of designs and construction techniques;
- Contract documentation and specification;
- Construction control testing (earthworks, pavement materials, concrete);
- Construction advice (foundation assessments, excavation support).

Proposed Expansion of Callala Bay Township at Corner of Emmett St and Callala Beach Road

APPENDIX

SITE PLANS





Proposed Expansion of Callala Bay Township at Corner of Emmett St and Callala Beach Road

APPENDIX



SECTION 149 CERTIFICATE



Bridge Rd, Nowra NSW 2541 **02 4429 3111** Deering St, Ulladulla NSW 2539 **02 4429 8999**

Address all correspondence to

The General Manager, PO Box 42, Nowra NSW 2541 Australia DX5323 Nowra Fax 02 4422 1816

PLANNING CERTIFICATE UNDER SECTION 10.7 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 Certificate No: 2018/03772

Applicant:	Kathleen Halim		Assessment number:	04136.27200
	31 Anvil Road		Receipt No.:	Ext: 89888
	Seven Hills NSW	2147	Date:	03/10/2018
			Fee:	\$53
			Urgency Fee:	\$0.00

Applicant reference: CallalaBayProject

The land to which this Certificate relates is:

Lot 2 DP 775060, Callala Beach Rd, CALLALA BAY Parish of WOLLUMBOOLA, County of ST. VINCENT

The above information is as recorded by Council.

DISCLAIMER AND CAUTION:

- 1. The information on zones, controls etc given below relates to the land for which the certificate was sought. If enquirers wish to know what zones, other controls, etc apply or are proposed on nearby land then they should make enquiries in person at Council's offices.
- 2. The information contained in this certificate is accurate as at the date of this certificate.
- 3. In providing this certificate Council has in good faith relied upon information provided to it or sourced from third parties. Where Council has obtained the information from third parties, either exclusively or in conjunction with information held by Council, the Certificate details the source of that third party information. Council cautions persons against relying upon information in the Certificate sourced from third parties as to its accuracy, applicability to specific lands and its currency without verification from the specified third party and, where appropriate, professional advice and the adoption of prudent land acquisition measures and appropriate professional advice. To the full extent permitted by law Council disclaims liability with respect to any information in this Certificate sourced from third parties.

The information contained in this certificate is prepared in accordance with the Environmental Planning and Assessment Act 1979 (as amended) and the Environmental Planning Assessment Regulation 2000 (as amended).

Page 1 of 10

This is a Planning Certificate issued by Shoalhaven City Council under Section 10.7(2) of the Environmental Planning and Assessment Act 1979 on the application of the person described above in respect of the land described above.

1 Names of relevant planning instruments and DCP's

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land:

Shoalhaven Local Environmental Plan 1985 (as amended)

State Environmental Planning Policies

Vegetation in Non-Rural Areas. Gazetted 25 August 2017 (& as amended) Is to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

State Environmental Planning Policies affecting the City

State Environmental Planning Policy No. 1 – Development Standards State Environmental Planning Policy No. 21 – Caravan Parks State Environmental Planning Policy No. 30 – Intensive Agriculture State Environmental Planning Policy No. 33 - Hazardous and Offensive Development State Environmental Planning Policy No. 36 – Manufactured Home Estates State Environmental Planning Policy No. 44 - Koala Habitat Protection State Environmental Planning Policy No. 50 - Canal Estate Development State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy No. 62 - Sustainable Aquaculture State Environmental Planning Policy No. 64 - Advertising and Signage State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 State Environmental Planning Policy (Building Sustainability Index: Basix) 2004 State Environmental Planning Policy (State Significant Precincts) 2005 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (Mining Petroleum Production and Extractive Industries) 2007 State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007 State Environmental Planning Policy (Rural Lands) 2008 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 State Environmental Planning Policy (Affordable Rental Housing) 2009 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 State Environmental Planning Policy (Coastal Management) 2018

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (not including any proposed instrument where the Secretary has notified the Council that the making of the proposed instrument has been deferred indefinitely or has not been approved) is:

Draft State Environmental Planning Policies

State Environmental Planning Policy No. 44 - Koala Habitat Protection - Review

Draft State Environmental Planning Policy (Environment) 2017

Draft State Environmental Planning Policy (Remediation of Land)

Draft State Environmental Planning Policy (Primary Production and Rural Development).

Explanation of Intended Effect - State Environmental Planning Policies

Explanation of Intended Effect - Proposed Housekeeping Amendment to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Draft Local Environmental Plans and planning proposals for Local Environmental Plans

(3) The name of each development control plan that applies to the carrying out of development on the land is:

Shoalhaven Development Control Plan 2014 (as amended)

(Note: a copy of Shoalhaven Development Control Plan 2014 is available on the internet at <u>www.dcp2014.shoalhaven.nsw.gov.au</u> or can be inspected at Council's Nowra office during normal business hours.)

2 Zoning and land use under relevant LEPs

For Shoalhaven Local Environmental Plan 1985 (as amended)

a. The identity of the zone in which the land is included under Shoalhaven Local Environmental Plan 1985:

Zone No 1 (d) (Rural "D" (General Rural) Zone)

b. The purposes for which Shoalhaven Local Environmental Plan 1985 provides that development may be carried out within the zone without the need for development consent:

Agriculture; forestry (other than on land to which clause 21, 23, 25 or 27 applies).

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c. The purposes for which Shoalhaven Local Environmental Plan 1985 provides that development may not be carried out within the zone except with development consent:

Any purpose other than a purpose for which development may be carried out without development consent or a purpose for which development is prohibited.

d. The purposes for which Shoalhaven Local Environmental Plan 1985 provides that development is prohibited within the zone:

Boarding houses; bulk stores; bulky goods premises; car repair stations; cluster housing; dual occupancies (other than attached dwellings); generating works involving wind-powered generators; industries (other than rural industries, extractive industries, offensive or hazardous industries); junk yards; motor showrooms; residential flat buildings; service stations; sexual services premises; shops; warehouses.

e. Development standards applying to the land **DO** fix minimum land dimensions for the erection of a dwelling-house on the land and the minimum land dimensions so fixed are:

Shoalhaven Local Environmental Plan 1985 applies a development standard fixing the minimum lot size for the erection of a dual occupancy (attached) and dwelling-house on this lot. Refer to clause 14 of the Instrument. The minimum lot size fixed is: **40 ha.**

f. The land **DOES NOT** include or comprise critical habitat under Shoalhaven Local Environmental Plan 1985.

(Note: Shoalhaven Local Environmental Plan 2014 does not identify areas of "critical habitat" as defined in Part 7A of the Fisheries Management Act 1994 (subject to section 5AA of the Environmental Planning and Assessment Act 1979). Enquiries about whether the land is "critical habitat" Part 7A of the Fisheries Management Act 1994 should be directed to the NSW Office of Environment and Heritage).

- g. The land **IS NOT** in a conservation area (however described) under Shoalhaven Local Environmental Plan 1985.
 (Note: this item relates to "heritage conservation areas" as defined in the LEP).
- h. An item of environmental heritage (however described) under Shoalhaven Local Environmental Plan 1985 **IS NOT** situated on the land.

(Note: "environmental heritage" relates to matters/items of cultural heritage, for example, items listed on the State Register, items specifically listed in the LEP or matters subject to an "interim heritage order" under the Heritage Act 1977).

Other provisions under Shoalhaven Local Environmental Plan 2014 may also apply to the development of this land. You can view the Shoalhaven Local Environmental Plan 2014 at the website <u>www.legislation.nsw.gov.au</u> or at Council's offices.

Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

(a) The land **IS NOT** within any zone (however described) under Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or

(b) The land **IS NOT** within any Precinct Plan (within the meaning of the 2006 SEPP), or

(c) The land **IS NOT** within a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act.

3 Complying development

2A

Qualifying Statement on Council Data Affecting this Item

Shoalhaven City Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, however specific land restrictions may not apply to all of the land. The information included in this Planning Certificate is provided in accordance with the Environmental Planning & Assessment Regulation 2000 (as amended). It is strongly suggested that you review the State Environmental Planning Policy (Exempt and Complying Developments Codes) 2008 and supporting information before proceeding with the lodgement of a Complying Development Certificate application to either Council or a private certifier. The NSW Department of Planning and Environment has provided a series of information sheets on its website

http://www.planning.nsw.gov.au/exemptandcomplying

Note: There are other provisions in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 that must be complied with in order for development on the land to be complying development. Refer to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 to identify if a Code applies to your land.

Specific land exemptions for Housing Code, Rural Housing and Greenfield Housing Code

The extent to which the land is land on which complying development may be carried out under each of the codes for complying development of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 **IS NOT RESTRICTED** by any of the provisions of clauses 1.17A (1)(c) to (e), (2), (3) and (4), 1.18(1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 but the restriction may not apply to all of the land, and Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

Page 5 of 10

Specific land exemptions for Housing Alterations Code and General Development Code

The extent to which the land is land on which complying development may be carried out under the codes of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 **IS NOT RESTRICTED** by the following provisions of clauses 1.17A (1)(c) to (e), (2), (3) and (4), 1.18(1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 but the restriction may not apply to all of the land, and Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

Specific land exemptions for Commercial and Industrial (New Buildings and Additions) Code

The extent to which the land is land on which complying development may be carried out under the codes of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 **IS NOT RESTRICTED** by the following provisions of clauses 1.17A (1)(c) to (e), (2), (3) and (4), 1.18(1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 but the restriction may not apply to all of the land, and Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

The owner (or any previous owner) of the land **HAS NOT** consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

5 Mine subsidence

The land **HAS NOT** been proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act, 1961.

6 Road widening and road alignment

- (a) The land **IS NOT** affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993
- (b) If the land is affected by any road widening or road realignment under any environmental planning instrument it will be listed below.
- (c) The land **IS NOT** affected by any road widening or road realignment under any resolution of Council.

Note: Information in item 6, relates to Council's road proposals; other authorities e.g. NSW Roads and Maritime Services, may have proposals not set out herein.

Page 6 of 10

7 Council and other public authority policies on hazard risk restrictions

(a) The land **IS** affected by the following policy or policies adopted by the Council that restrict the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding).

Shoalhaven Development Control Plan 2014

Contaminated Land Policy 2013

Shoalhaven Coastal Zone Management Plan 2018

(b) The land **IS** affected by a policy adopted by a public authority (other than the Council) and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding).

Land Identified As Bushfire Prone

Under the Rural Fires and Environmental Assessment Legislation Amendment Act 2002, Council is obliged to map bushfire prone land and to indicate bushfire prone land on planning certificates.

The land the subject of this certificate is within a designated bushfire prone area under that Act. Intending purchasers should consult the NSW Rural Fire Service / Planning NSW guidelines "Planning for Bushfire Protection 2006" which identifies possible restrictions on the development of land because of the likelihood of bushfire.

7A Flood related development controls information

(1) Development on the land subject of this planning certificate for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (provided that such development is permissible on the land with or without development consent) is subject to flood related development controls.

(2)) Development on the land subject of this planning certificate for purposes other than dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (provided that such development is permissible on the land with or without development consent) is subject to flood related development controls.

(3)The expressions "dwelling houses", "dual occupancies", "multi dwelling housing" and "residential flat buildings" as used in subclauses (1) and (2) above have the same meanings as in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006

Page 7 of 10

Council does not know whether or not development on the land or part of the land is subject to flood related development controls in Shoalhaven Local Environmental Plan 1985 (LEP) or Shoalhaven Development Control Plan 2014 (DCP). The land may be flood liable land within the meaning of Shoalhaven Local Environmental Plan 1985 or flood prone land within the meaning of Shoalhaven Development Control Plan (DCP) 2014.

If the land is within 40 metres of a creek; or is within 10 metres of a major drainage system, local overland flow path or drainage easement; or has a history of flooding then a flood assessment report will need to be submitted with any development application under the requirements of the DCP.

The flood assessment report is to identify whether or not the land is flood prone and determine, if flood prone, the flood planning level. For further information please contact Council's Natural Resources Unit.

8 Land reserved for acquisition

The land **IS NOT** reserved for acquisition by a public authority, as referred to in section 27 of the Act under any environmental planning instrument, or proposed environmental planning instrument referred to in clause 1.

9 **Contributions plans**

The name of the contributions plan applying to the land is:

Shoalhaven Contributions Plan 2010 (as amended)

9a Biodiversity certified land

The land **IS NOT** biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note: Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.

10 Biobanking stewardship sites

The council **HAS NOT** been notified by the Chief Executive of the Office of Environment and Heritage whether or not the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

10a Native vegetation clearing set asides

The land **DOES NOT** contain a set aside area under section 60ZC of the Local Land Services Act 2013.

Page 8 of 10

11 Bush fire prone land

The land or some of the land **IS** bushfire prone land (as defined in the Environmental Planning and Assessment Act 1979).

12 **Property vegetation plans**

The Council **HAS NOT** been notified that the land is land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies.

13 Orders under Trees (Disputes Between Neighbours) Act 2006

The Council **HAS NOT** been notified that an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14 Directions under Part 3A

There is no direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect.

15 Site compatibility certificates and conditions for seniors housing

The Council **IS NOT** aware of any current site compatibility certificate (seniors housing) in respect of proposed development on the land.

16 Site compatibility certificates for infrastructure, schools or TAFE establishments

The Council **IS NOT** aware of a current site compatibility certificate (Infrastructure) or site compatibility certificate (schools or TAFE establishments), in respect of proposed development on the land.

17 Site compatibility certificates and conditions for affordable rental housing The Council IS NOT aware of a current site compatibility certificate (affordable rental housing), in respect of proposed development on the land.

18 Paper subdivision information

The land **IS NOT** affected by a development plan (proposed or adopted) or subdivision order as defined under Part 16C of the Environmental Planning & Assessment Regulation 2000

19 Site verification certificates

The Council **IS NOT** aware of a current site verification certificate (mining, petroleum production and extractive industries), in respect of this land.

20 Loose-filled asbestos insulation

The land **DOES NOT** include any residential premises (within the meaning of Division 1A of Part 8 of the Home Building Act 1989) that are listed on the register that is required to be maintained under that Division.

Page 9 of 10

21 Affected building notices and building product rectification orders

(1) The Council **IS NOT** aware of any affected building notice as defined under the Building Products (Safety) Act 2017 that is in force in respect of the land.

(2)(a) The Council **IS NOT** aware of any building product rectification order as defined under the Building Products (Safety) Act 2017 that is in force in respect of the land and has not been fully complied with, and

(2)(b) The Council **IS NOT** aware of any notice of intention to make a building product rectification order as defined under the Building Products (Safety) Act 2017 given in respect of the land and is outstanding.

- **Note: Contaminated Land Management Act 1997:** The following matters are prescribed by Section 59(2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:
- (a) The Council HAS NOT been informed by the Environment Protection Authority that the land is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.
- (b) The Council HAS NOT been informed by the Environment Protection Authority that the land is subject to a management order within the meaning of the Contaminated Land Management Act 1997.
- (c) The Council HAS NOT been informed by the Environment Protection Authority that the land is subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.
- (d) The Council HAS NOT been informed by the Environment Protection Authority that the land is subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.
- (e) The land **IS NOT** the subject of a site audit statement within the meaning of the Contaminated Land Act 1997 that has been provided to the Council.
- **Note:** Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

for R D Pigg, GENERAL MANAGER

Page 10 of 10

Proposed Expansion of Callala Bay Township at Corner of Emmett St and Callala Beach Road

APPENDIX

TITLE RECORD

	HISTORICAL OWNERSHIP SEARCH AT CALLALA BAY					
	BEING LOT 2 DP 775060 & LOTS 599-628 DP 11388 & LOTS 9-11 E17018 PP 253793					
	DATE	LOT OP	CT VOI/FUI	^		
	19-6-1841	Por 11 (200 20.)		CROWN GRANT TO WILLIAM SHEAFFE		
	31 - 12 - 1923	5 4	3795-46	IVY MAY RUMBLE (Spinster)		
	31 -7-1947	5 1	3795 - 46	ST. VINCENT CITY AND SUBURBS LIMITED		
	2 - 2 - 1970		9781 - 111	WARREN HALLORAN (Company Director)		
n	9-8-2013	2/775060	Tstr A1 427498	SEALARK PTY LTD.		
		CURREN	HT OWNER	*		
		and the second				
	26-12-1916	POR 93	2735 - 20	CROWN GRANT TO PERCIVAL HUGH KEAN		
(21 - 3 - 1917	¥1	51	LAND LIMITED		
	5 - 11 - 1919	**	•	PORT STEPHENS DEVELOPMENT LIMITED		
	15 - 2 - 1929	599-628/11388		ST VINCENT CITY AND SUBURBS LIMITED		
	2 - 2 -1970	11 AC 12966-82	12906-82	WARREN HALLORAN (Company Director)		
· # 101/16 07 00	9-8-2013	599-628 /11388	T3Fr AI 4-27498	SEALARK PTY LTD		
(CURRE	ENT OWNE	Q.		
	an a					
	1-3-1978	ьтэ <u>9 Ю, 11, 17-ев</u> DP 253793	11559 -44-	CLOWN GRANT TO WARREN HARDORAN.		
	9-8-2013	• •	Tofr AI 42749	8 SEALARK PTY LTD.		
(CURR	ENT OW	NER ,		
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Proposed Expansion of Callala Bay Township at Corner of Emmett St and Callala Beach Road

APPENDIX

PROPOSED DEVELOPMENT PLAN



NOTE:

This plan was prepared for the client as an indicative subdivision design to accompany a planning application to Shoalhaven City Council.

The information shown on this plan is not suitable for any other purpose.

The property dimensions, contours and other physical features have been compiled from existing information and have not been verified by field survey.

The dimensions, areas and total number of lots shown on this plan are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation.

In particular, no reliance should be placed on the information on this plan for detailed subdivision design or for any financial dealings involving the land.

Allen Price & Scarratts Pty Ltd therefore disclaims any liability for any loss or damage whatsoever or howsoever incurred, arising from any party using or relying upon this plan for any purpose other than as a document prepared for the sole purpose of accompanying an application to council for planning and which may be subject to alteration for reasons beyond the control of Allen Price & Scarratts Pty Ltd.

Unless stamped by Council, this plan is not a plan of an approved subdivision.

This note is an integral part of this plan.

NOTE:

CADASTRAL INFORMATION HAS BEEN OBTAINED FROM NSW LAND & PROPERTY INFORMATION (LPI) DIGITAL CADASTRAL DATA BASE (DCDB) AND IS SUBJECT TO SURVEY. IT SHOULD BE VIEWED AS APPROXIMATE ONLY.

PEDESTRIAN/ CYCLEWAY

GENOPLESIUM BAUERI -

(ECOLOGICAL REPORT 18.03.2019)

GENOPLESIUM BAUERI SPECIES POLYGON (ECOLOGICAL REPORT 18.03.2019)

NOTE:

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ROADS 21 WIDE & 16 WIDE

•	LOT YIELD	500m ² LOTS	348
		400m ² LOTS (rear lane)	26
		PUBLIC RESERVE	2
		DRAINAGE RES./ORCHIDS (incl. Recreation Park)	1
		SEWER PUMPING STATION	1
		RESIDUE LOT	1

(B) EASEMENT FOR BUSHFIRE FUEL REDUCTION 40 WIDE (DP 777916) (SCC) TO BE EXPUNGED

© EASEMENT FOR SEWER PIPELINE 5 WIDE & VARIABLE (VIDE DEALING AC196382 & DP 1065841)

G RIGHT OF CARRIAGEWAY 12 WIDE (DP 777916) (SCC) TO BE EXPUNGED

EASEMENT FOR WATER SUPPLY 12 WIDE (DP 789141) (SCC) TO BE EXPUNGED

PROFESSIONAL STANDARDS SCHEM

Liability limited by a scheme approved under Professional Standards Legislation

BDIVISION ΓSTREET,	DRAWING STATUS PRELIMINARY NOT TO BE USED FOR CONSTRUCTION PURPOSES					
	DRAWING NUMBER	^{SHEET} 1	REVISION			
	25930-09	of 1	P6			

Proposed Expansion of Callala Bay Township at Corner of Emmett St and Callala Beach Road

APPENDIX

ACID SULPHATE SOIL

SEED | Sharing and Enabling Environmental Data





Proposed Expansion of Callala Bay Township at Corner of Emmett St and Callala Beach Road

APPENDIX

SAFEWORK NSW SEARCH



Locked Bag 2906, Lisarow NSW 2252 Customer Experience 13 10 50 ABN 81 913 830 179 | www.safework.nsw.gov.au

Our Ref: D18/225675

19 November 2018

Samuel Inameti Construction Sciences Pty Ltd 31 Anvil Road Seven Hills NSW 2147

Dear Mr Inameti

RE SITE: 453 Culburra Road Culburra NSW (Lot 2 DP775060)

l refer to your site search request received by SafeWork NSW on 24 October 2018 requesting information on Storage of Hazardous Chemicals for the above site.

A search of the records held by SafeWork NSW has not located any records pertaining to the above-mentioned premises.

For further information or if you have any questions, please call us on 13 10 50 or email <u>licensing@safework.nsw.gov.au</u>

Yours sincerely

Customer Service Officer Customer Experience - Operations SafeWork NSW

Contact

Unit 2, 4 Kellogg Road, Rooty Hill, NSW 2766

Telephone: +61 1300 165 769

www.constructionsciences.net